

MONDAY, APRIL 2, 2012

SIXTY-SEVENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Brad Tucker, Abba's House, Chattanooga, TN.

Representative Dean led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present..... 96

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative McCormick; business

Representative Odom; business

COMMUNICATION
April 2, 2012

Betsy Crossley
276 Stratton Court
Brentwood, TN 37027-4228

Re: Tennessee Local Development Authority

Dear Ms. Crossley:

4623

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

As Speaker of the House of Representatives acting pursuant to Tennessee Code Annotated, § 4-31-103(c)(1), I am appointing you (from the Tennessee Municipal League's list of nominees) to serve as a member of the Tennessee Local Development Authority. Your term commences immediately and will expire on January 31, 2014.

I am forwarding a copy of this letter to Ann Butterworth. Ms. Butterworth will be contacting you in the near future regarding this appointment.

I am confident that you will perform the duties of office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Ann V. Butterworth, Assistant to the Comptroller Public Finance
Lt. Gov. Ron Ramsey
Cody York, 8th Floor, Snodgrass Tower
Jeremy Harrell, G-7 State Capitol Bldg.
Gregory Gleaves
Connie Ridley
Joseph A. Barnes
Tammy Letzler

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 823 Rep(s). Matlock, Maggart, Sargent, Womick, Sanderson, Watson, Casada, Powers, R. Williams and White as prime sponsor(s).

House Joint Resolution No. 846 Rep(s). Faison as prime sponsor(s).

House Bill No. 915 Rep(s). Maggart and Casada as prime sponsor(s).

House Bill No. 1105 Rep(s). Maggart as prime sponsor(s).

House Bill No. 2466 Rep(s). Lollar and Forgety as prime sponsor(s).

House Bill No. 2516 Rep(s). Roach and Ford as prime sponsor(s).

House Bill No. 2763 Rep(s). H. Brooks as prime sponsor(s).

House Bill No. 2847 Rep(s). Maggart as prime sponsor(s).

House Bill No. 3679 Rep(s). Lollar, Sparks, Brown and Parkinson as prime sponsor(s).

MESSAGE FROM THE SENATE
March 30, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 78, 629, 674, 702, 705, 706, 707 and 708; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Joint Resolution No. 78** -- General Assembly, Directed Studies - Creates a special joint committee to study the feasibility of establishing a system to make certain health-related boards and commissions more autonomous. by *Watson.

***Senate Joint Resolution No. 629** -- Highway Signs - "Sp. Jeremy Lynn Brown Memorial Bridge," S.R. 56 in McMinnville, Warren County. by *Stewart.

Senate Joint Resolution No. 674 -- Memorials, Recognition - Tennessee Education Lottery Corporation and the Tennessee Education Lottery. by *Kyle, *Burks, *Marrero, *Ford.

Senate Joint Resolution No. 702 -- Memorials, Retirement - Dr. Robert Bell. by *Burks, *Stewart, *Yager, *Beavers, *Crowe, *Barnes, *Bell, *Berke, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Summerville, *Tate, *Tracy, *Watson, *Ramsey.

Senate Joint Resolution No. 705 -- Memorials, Recognition - Ty Smith, Boys and Girls Club of the Smoky Mountains 2012 Youth of the Year. by *Overbey.

Senate Joint Resolution No. 706 -- Memorials, Recognition - General Federation of Women's Clubs Chilhowee Club, 120th anniversary. by *Overbey.

Senate Joint Resolution No. 707 -- Memorials, Recognition - Johnson City Country Club, National Register of Historic Sites. by *Crowe.

Senate Joint Resolution No. 708 -- Memorials, Recognition - John Howard Dunn. by *Southerland.

MESSAGE FROM THE SENATE
March 30, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1447, 2224, 2671, 2796, 2816, 3003, 3032, 3145, 3187, 3241, 3269, 3283, 3341 and 3545; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 1447** -- Public Records - As introduced, specifies that all licensure tests administered by the department of commerce and insurance through any of its regulatory boards and commissions are confidential when and for so long as necessary to protect the integrity of the tests. - Amends TCA Title 10, Chapter 7, Part 5. by *Tracy. (HB1908 by *Montgomery)

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Senate Bill No. 2224 -- Welfare - As introduced, revises provisions governing eligibility for temporary assistance; makes provision of transportation assistance discretionary instead of mandatory. - Amends TCA Title 71, Chapter 3, Part 1. by *Norris, Watson. (*HB2362 by *McCormick, Butt)

***Senate Bill No. 2671** -- Judges and Chancellors - As introduced, terminates the court of the judiciary and replaces it with a 16-person board of judicial conduct and changes the burden of proof to investigate a judge to probable cause that misconduct occurred from substantial likelihood that it did. - Amends TCA Title 4, Chapter 29 and Title 17, Chapter 5. by *Faulk, *Beavers, *Ramsey, *Overbey, *Tracy, *Johnson, *Ketron, *Ford, *Gresham, *Kelsey. (HB2935 by *Dennis, *McCormick, *Matheny, *Casada, *Camper, *Maggart, *Rich, *Lundberg, *Faison, *Brooks H, *Coley, *Cooper B)

Senate Bill No. 2796 -- TennCare - As introduced, revises who shall submit a list of general internist candidates to the speaker of the house to serve on the TennCare pharmacy advisory committee. - Amends TCA Section 71-5-2401. by *Bell. (*HB2960 by *Maggart)

Senate Bill No. 2816 -- Hospitals and Health Care Facilities - As introduced, enacts the "Community-Based TBI Adult Care Home Act of 2012" for the regulation of certain traumatic brain injury care homes. - Amends TCA Title 68, Chapter 11. by *Tracy, *Ketron. (*HB2928 by *McDonald, *Shipley, *Evans)

Senate Bill No. 3003 -- Drugs, Prescription - As introduced, requires pharmacists to provide certain prescribed opioid analgesic drugs that incorporate tamper resistance technology. - Amends TCA Title 53. by *Watson. (*HB2567 by *Casada)

Senate Bill No. 3032 -- Children's Services, Dept. of - As introduced, adds additional language to the department's mission/purpose. - Amends TCA Section 37-5-102. by *Marrero, *Ford, *Harper, *Kyle. (*HB2893 by *Jones S)

***Senate Bill No. 3145** -- Hospitals and Health Care Facilities - As introduced, provides that reporting of injury other than those caused by deadly weapon upon a domestic violence or sexual assault on adult who does not wish to give consent to send identifying information to law enforcement to be filled out on forms that provide location and injury information but not name and address of victim. - Amends TCA Title 36 and Title 38. by *Burks, *Marrero, *Kyle. (HB3579 by *Jones S, *Richardson, *DeBerry J, *Coley, *Shipley, *Odom, *Turner M, *Dennis, *Gilmore)

Senate Bill No. 3187 -- Water Pollution - As introduced, authorizes municipal separate storm sewer systems that become qualified local programs pursuant to department approval to administer their own NPDES storm water construction permitting programs and the review thereof. - Amends TCA Title 69, Chapter 3, Part 1. by *Bell. (*HB3076 by *Williams R)

Senate Bill No. 3241 -- Unemployment Compensation - As introduced, makes ineligible for benefits those claimants who were discharged after having agreed in writing to obtain a license or certification by a specified date and then have failed to do so. - Amends TCA Title 50, Chapter 7. by *Barnes. (*HB2193 by *Johnson C)

Senate Bill No. 3269 -- Dentists and Dentistry - As introduced, requires dentists and dental hygienists to show license on request to a patient; requires board of dentistry's annual report to the governor to be submitted by March 1 of each year. - Amends TCA Title 63, Chapter 5. by *Tracy, *Ketron. (*HB3420 by *Hill, *Ramsey)

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***Senate Bill No. 3283** -- Local Education Agencies - As introduced, allows county boards of education in counties that have adopted the County Financial Management System of 1981 to remove the LEA from such system and manage the board's financial affairs under general state law. - Amends TCA Title 5, Chapter 21. by *Tracy. (HB3770 by *Ramsey)

Senate Bill No. 3341 -- Education - As introduced, requires teachers instructing in subjects wherein an end-of-course exam is administered to take such exam, provided annually by the state board of education, and pass with a score of 75 or greater. - Amends TCA Title 49, Chapter 6. by *Ketron. (*HB2675 by *Carr)

***Senate Bill No. 3545** -- Special License Plates - As introduced, requires hospital specialty license plates to have a 500 plate minimum for issuance and renewal. - Amends TCA Title 55, Chapter 4. by *Crowe. (HB3763 by *Hill)

**MESSAGE FROM THE SENATE
March 30, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 724; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED
March 30, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 724.

**MESSAGE FROM THE GOVERNOR
March 30, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2830, 3053, 3834, 3844, 3845, 3848 and 3843; with his approval.

ASHLEIGH HARB on behalf of HERBERT H. SLATERY III, Counsel to the Governor

**MESSAGE FROM THE SENATE
April 2, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3558; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

***Senate Bill No. 3558** -- Students - As introduced, requires LEAs to include in student discipline codes a prohibition on students wearing on school grounds during the school day clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment. - Amends TCA Title 49. by *Ford. (HB3679 by *Towns)

PERSONAL ORDERS

RECOGNITION IN THE WELL

Representative Matheny was recognized in the Well to introduce members of the Concerned Motorcyclists of Tennessee/American Bikers.

SPECIAL ORDER

Without objection, Rep. Matheny moved the House take up item number 2 on today's Regular Calendar, House Bill No. 2429, out of order at this time as follows:

***House Bill No. 2429** -- Naming and Designating - As introduced, designates May 2012 as "Motorcycle Safety and Awareness Month." by *Matheny. (SB3123 by *Stewart, *Ketron, *Tracy, *Norris)

On motion, House Bill No. 2429 was made to conform with **Senate Bill No. 3123**; the Senate Bill was substituted for the House Bill.

Rep. Matheny moved that **Senate Bill No. 3123** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 839 -- Naming and Designating - Designates May 2012 as "Prader-Willi Syndrome Awareness Month" in Tennessee. by *Matlock.

House State and Local Government Committee

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House Joint Resolution No. 840 -- Naming and Designating - Designates May 14-18, 2012, as "NAIA Women's Golf Championship Days" in Tennessee. by *Hawk.

House State and Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 4, 2012:

House Joint Resolution No. 849 -- Memorials, Academic Achievement - Hailey Speck, Valedictorian, Watertown High School. by *Pody.

House Joint Resolution No. 850 -- Memorials, Recognition - Volunteer State Bank. by *McDonald.

House Joint Resolution No. 851 -- Memorials, Recognition - J. B. Donoho Nursery. by *McDonald.

House Joint Resolution No. 852 -- Memorials, Recognition - Gibson Furniture & Patio, 40th anniversary. by *McDonald.

RESOLUTIONS LYING OVER

On motion, the resolution(s) listed was/were referred to the appropriate Committee:

***Senate Joint Resolution No. 78** -- General Assembly, Directed Studies - Creates a special joint committee to study the feasibility of establishing a system to make certain health-related boards and commissions more autonomous. by *Watson.

House Health and Human Resources Committee

***Senate Joint Resolution No. 629** -- Highway Signs - "Sp. Jeremy Lynn Brown Memorial Bridge," S.R. 56 in McMinnville, Warren County. by *Stewart.

House State and Local Government Committee

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 1447** -- Public Records - As introduced, specifies that all licensure tests administered by the department of commerce and insurance through any of its regulatory boards and commissions are confidential when and for so long as necessary to protect the integrity of the tests. - Amends TCA Title 10, Chapter 7, Part 5. by *Tracy. (HB1908 by *Montgomery)

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MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

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Senate Bill No. 3341 -- Education - As introduced, requires teachers instructing in subjects wherein an end-of-course exam is administered to take such exam, provided annually by the state board of education, and pass with a score of 75 or greater. - Amends TCA Title 49, Chapter 6. by *Ketron. (*HB2675 by *Carr)

***Senate Bill No. 3545** -- Special License Plates - As introduced, requires hospital specialty license plates to have a 500 plate minimum for issuance and renewal. - Amends TCA Title 55, Chapter 4. by *Crowe. (HB3763 by *Hill)

CONSENT CALENDAR

House Bill No. 3866 -- Lexington - As introduced, subject to local approval, revises various provisions of the charter related to residency of department heads; gives control and supervision of the electric plant to the board of mayor and aldermen instead of an electric utility board. - Amends Chapter 402 of the Acts of 1901; as amended and rewritten. by *McDaniel.

***House Bill No. 2188** -- Child Custody and Support - As introduced, clarifies definitions that apply to parents in the armed forces seeking modification of orders concerning parenting. - Amends TCA Title 36. by *Johnson C.

***House Joint Resolution No. 623** -- Highway Signs - Names segment of U.S. 45 in McNairy County in honor of the late Frederick D. Wyke. by *Dennis.

House Bill No. 3846 -- Elkton - As introduced, subject to local approval, revises the charter of the City of Elkton relative to the requirements for becoming chief of police and to correct a typographical error. - Amends Chapter 431 of the Acts of 1907; as amended by Chapter 49 of the Private Acts of 2007. by *Bass.

***House Bill No. 3562** -- Highway Signs - As introduced, names bridge on U.S. 64 in Giles County in honor of the late James E. Wells. by *Bass.

On motion, House Bill No. 3562 was made to conform with **Senate Bill No. 3556**; the Senate Bill was substituted for the House Bill.

***House Bill No. 3857** -- Dickson County - As introduced, subject to local approval, decreases, from 12 to six, the number of county highway commissioners beginning in the August 2014 regular election; requires commissioners be elected from the same districts as county school board members. - Amends Chapter 53 of the Private Acts of 1985. by *Shepard.

***House Resolution No. 208** -- General Assembly, Statement of Intent or Position - Expresses support for the US Dept of Interior's recommendation of a Manhattan Project National Historical Park in Oak Ridge, TN; Los Alamos, New Mexico; and Hanford, Washington. by *Ragan, *Hurley, *Keisling, *Hall, *Swann, *Brooks K, *Powers.

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***House Bill No. 3402** -- Education - As introduced, extends deadline for raising matching funds for Tennessee Intercollegiate State Legislature Foundation from June 30, 2012, to December 31, 2012, by delaying reversion of existing appropriation to general fund until December 31, 2012. - Amends TCA Title 49, Chapter 3. by *Lollar.

House Bill No. 3255 -- Taxes, Privilege - As introduced, reduces the rate of assessment for the realty recordation tax. - Amends TCA Section 67-4-409. by *Haynes.

House Bill No. 2949 -- Hospitals and Health Care Facilities - As introduced, removes requirement that board for licensing health care facilities report to the Tennessee code commission if the board fails to collect fees in amount sufficient to pay operating costs of board in any fiscal year; retains requirement that such report be sent to government operations committees. - Amends TCA Section 68-11-216(b). by *Cobb, *Shipley.

House Bill No. 2494 -- Law Enforcement - As introduced, expands, subject to certain restrictions, the private universities or colleges that are permitted to have police forces. - Amends TCA Section 49-7-118. by *Roach, *Ford.

On motion, House Bill No. 2494 was made to conform with **Senate Bill No. 2166**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 724** -- General Assembly, Statement of Intent or Position - Endorses "Read Across America" program. by *Montgomery, *Hensley, *Brooks H, *Brooks K, *Lollar, *Ragan, *Windle, *Williams R, *Carr, *Dunn, *Fitzhugh, *Pitts, *DeBerry J, *DeBerry L, *Naifeh, *Forgety, *Powers.

***House Joint Resolution No. 712** -- Naming and Designating - "Tennessee Learn to Ski and Snowboard Month," January 2013. by *Montgomery.

***House Bill No. 3558** -- Water - As introduced, requires that any public water or waterworks system, which determines to initiate or permanently cease fluoridation of its water supply, shall notify the departments of health and environment and conservation and its customers 30 days prior to any vote. - Amends TCA Title 68, Chapter 221. by *Ramsey.

House Bill No. 3841 -- Rutherford County - As introduced, subject to local approval, adjusts election cycle for county road board districts to coincide with elections for school districts. - Amends Chapter 55 of the Private Acts of 1951, as amended. by *Carr.

House Bill No. 3464 -- Special License Plates - As introduced, extends time period for meeting initial issuance requirements for "I Recycle" new specialty earmarked license plates until July 1, 2013. - Amends TCA Title 55, Chapter 4. by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes.

On motion, House Bill No. 3464 was made to conform with **Senate Bill No. 2707**; the Senate Bill was substituted for the House Bill.

House Bill No. 3465 -- Special License Plates - As introduced, authorizes issuance of Dogwood Arts new specialty earmarked license plates. - Amends TCA Title 55, Chapter 4. by *Armstrong, *Tindell, *Brooks H, *Dunn, *Hall, *Haynes.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

On motion, House Bill No. 3465 was made to conform with **Senate Bill No. 2785**; the Senate Bill was substituted for the House Bill.

***House Joint Resolution No. 744** -- Naming and Designating - "Nashville Navy Week," May 7-13, 2012. by *Lundberg.

***House Joint Resolution No. 742** -- Memorials, Congress - Requests the Tennessee Congressional delegation to take action against the closure of the Shallowford Road Mail Processing and Distribution Center in Chattanooga. by *Floyd, *McCormick, *Cobb, *Brown, *Dean.

***House Joint Resolution No. 743** -- General Assembly, Statement of Intent or Position - Urges U.S. Postal Service to rescind decision to close the Shallowford Road Mail Processing and Distribution Center in Chattanooga. by *Floyd, *McCormick, *Cobb, *Brown, *Dean.

House Bill No. 3373 -- Highway Signs - As introduced, designates segment of S.R. 385 in Shelby and Fayette counties as "Governor Winfield Dunn Parkway.". by *Rich, *Harwell, *McDaniel, *Lollar, *Evans, *Maggart, *McCormick, *Weaver, *Faison, *Dennis, *Todd, *Williams R, *White, *Casada, *Coley, *Hurley, *Halford.

House Bill No. 3863 -- Jackson - As introduced, subject to local approval, amends charter relative to the seeking of multiple positions in a single municipal election, vacancy and removal of council members, adoption of a redistricting ordinance, city judge and city court clerk salaries, and other charter revisions. by *Eldridge, *Shaw.

***House Joint Resolution No. 713** -- Highway Signs - "Polk County Veterans Memorial Bridge," U.S. 411 and U.S. 64 in Polk County. by *Watson.

***House Bill No. 3468** -- Child Custody and Support - As introduced, allows the court, in its discretion, in appropriate cases, to order child support for postsecondary education. - Amends TCA Title 34 and Title 36. by *Brooks H.

***House Bill No. 41** -- Emergency Communications Districts - As introduced, authorizes the provision of emergency medical services by providers in contiguous counties in certain circumstances. - Amends TCA Title 5; Title 12, Chapter 9; Title 58, Chapter 8 and Title 68, Chapter 140. by *Montgomery.

House Joint Resolution No. 695 -- Memorials, Recognition - John Rich. by *Shepard.

House Resolution No. 230 -- Memorials, Heroism - Dock Lillard Richards. by *Windle.

House Resolution No. 231 -- Memorials, Professional Achievement - Shannon Land, Tennessee Assistant Principal of the Year. by *Harmon.

House Joint Resolution No. 841 -- Memorials, Sports - Vanderbilt University Men's Basketball Team, 2012 SEC Tournament Champions. by *Harwell, *Gilmore, *Odom, *Sontany, *Turner M, *Jones S, *Moore, *Gotto, *Stewart, *Pruitt.

House Joint Resolution No. 842 -- Memorials, Recognition - Charlie Foust & Clarksville Foundry. by *Pitts, *Johnson C, *Tidwell.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Joint Resolution No. 846 -- Memorials, Recognition - Walmart Distribution Center and Transportation Office, 15 year anniversary. by *Hawk.

Senate Joint Resolution No. 674 -- Memorials, Recognition - Tennessee Education Lottery Corporation and the Tennessee Education Lottery. by *Kyle, *Burks, *Marrero, *Ford.

Senate Joint Resolution No. 702 -- Memorials, Retirement - Dr. Robert Bell. by *Burks, *Stewart, *Yager, *Beavers, *Crowe, *Barnes, *Bell, *Berke, *Campfield, *Faulk, *Finney L, *Ford, *Gresham, *Harper, *Haynes, *Herron, *Johnson, *Kelsey, *Ketron, *Kyle, *Marrero, *Massey, *McNally, *Norris, *Overbey, *Roberts, *Summerville, *Tate, *Tracy, *Watson, *Ramsey.

Senate Joint Resolution No. 705 -- Memorials, Recognition - Ty Smith, Boys and Girls Club of the Smoky Mountains 2012 Youth of the Year. by *Overbey.

Senate Joint Resolution No. 706 -- Memorials, Recognition - General Federation of Women's Clubs Chilhowee Club, 120th anniversary. by *Overbey.

Senate Joint Resolution No. 707 -- Memorials, Recognition - Johnson City Country Club, National Register of Historic Sites. by *Crowe.

Senate Joint Resolution No. 708 -- Memorials, Recognition - John Howard Dunn. by *Southerland.

Rep. Floyd moved that all members voting aye on House Joint Resolution No. 742 be added as co-prime sponsors, with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

Rep. Floyd moved that all members voting aye on House Joint Resolution No. 743 be added as co-prime sponsors, with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody and Ragan.

OBJECTION—CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 2188: by Rep. M. Turner

House Bill No. 3402: by Rep. M. Turner

House Bill No. 3255: by Rep. M. Turner

House Bill No. 2949: by Rep. M. Turner

House Bill No. 3558: by Rep. M. Turner

House Bill No. 3468: by Rep. M. Turner

House Bill No. 41: by Rep. M. Turner

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House Joint Resolution No. 841: by Rep. M. Turner

Under the rules, House Bill(s) No(s). 2188, 3402, 3255, 2949 and 3558 were placed at the heel of the calendar for April 4, 2012

Under the rules, House Bill(s) No(s). 3468, 41 and House Joint Resolution(s) No(s). 841 were placed at the heel of the calendar for April 5, 2012

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks,

Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 2466** -- Arrests - As introduced, requires an officer to arrest drivers involved in accidents resulting in serious bodily injury or death when such drivers lack a valid driver license and evidence of financial responsibility; prohibits the issuance of a citation in lieu of arrest in such circumstances. - Amends TCA Title 39; Title 40; Title 55, Chapter 10; Title 55, Chapter 12; Title 55, Chapter 50 and Title 55, Chapter 8. by *Carr, *McManus, *Bass, *Moore, *Curtiss, *Matheny, *Rich, *Faison, *Hawk, *Johnson P, *Brooks K, *Sargent, *Coley, *Watson, *Turner M, *Fitzhugh, *Towns, *Evans. (SB2350 by *Beavers)

Rep. Carr moved that House Bill No. 2466 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2466 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

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SECTION __. This act shall be known and referred to as the "Ricky Otts Act".

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2466 by adding the language "and" to the end of subdivision (1)(B) in the amendatory language of Section 1.

On motion, Judiciary Committee Amendment No. 2 was adopted.

Rep. Carr requested that House Bill No. 2466 be moved down 5 places on the Calendar.

House Bill No. 915 -- Highways, Roads and Bridges - As introduced, defines "milldam" for navigable stream obstruction purposes. - Amends TCA Title 54 and Title 55. by *McDaniel. (*SB673 by *Tracy)

On motion, House Bill No. 915 was made to conform with **Senate Bill No. 673**; the Senate Bill was substituted for the House Bill.

Rep. McDaniel moved that Senate Bill No. 673 be passed on third and final consideration.

Rep. P. Johnson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 673 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-4-202(c)(7), is amended by adding the following as a new, appropriately designated subdivision:

() Music City Alumni Chapter of Western Kentucky University;

SECTION 2. Tennessee Code Annotated, Title 55, Chapter 4, Part 2, is amended by adding the following as a new, appropriately designated section:

55-4-2__.

(a) An owner or lessee of a motor vehicle who is a resident of this state, upon complying with state motor vehicle laws relating to registration and licensing of motor vehicles and paying the regular fee applicable to the motor vehicle and the fee provided for in § 55-4-203, shall be issued a Music City Alumni Chapter of Western Kentucky University new specialty earmarked license plate for a motor vehicle authorized by § 55-4-210(c).

(b) The new specialty earmarked plates provided for in this section shall contain the official colors, logo or other distinctive emblem of Western Kentucky University in an appropriate design. Such plates shall be designed in consultation with a representative from the Music City Alumni Chapter of Western Kentucky University.

(c) The funds produced from the sale of such new specialty earmarked license plates shall be allocated to the Music City Alumni Chapter of Western Kentucky University in accordance with § 55-4-215 to be used for scholarship funding for Tennessee students attending Western Kentucky University.

(d) Section 55-4-201(f) shall not apply to the new specialty earmarked license plates authorized by this section.

SECTION 3. Tennessee Code Annotated, Section 55-4-293, is amended by deleting subsection (e) and by substituting instead the following:

(e) Notwithstanding § 55-4-201(h)(1), the Civil War Preservation new specialty earmarked license plates authorized for issuance pursuant to this section shall have one (1) year from the effective date of this act or until July 1, 2013, whichever is later, to meet applicable initial issuance requirements of § 55-4-201(h)(1).

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. McDaniel moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 673 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____.

(a) Notwithstanding Chapter 371 of the Public Acts of 2011 or any other provision of law to the contrary, the segment of State Route 68 in Monroe County between the corporate boundaries of Madisonville and Tellico Plains is hereby designated the "Bob 'Single Wing' Harrill Memorial Highway".

(b) The department of transportation is directed to erect suitable signs or to affix suitable markers designating the segment of State Route 68 described in subsection (a) as the "Bob 'Single Wing' Harrill Memorial Highway".

(c) The erection of such signs shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

(d) This section shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this section

shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

(e) This section shall become operative only if the cost of the manufacture and installation of such signs is paid to the department of transportation from non-state funds within one (1) year of the effective date of this act. Such payment shall be made prior to any expenditure by the state for the manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to the person or entity paying for such signs within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department in nonstate funds within thirty (30) days of the sponsoring person or entity receiving an itemized invoice of the actual cost from the department.

(f) The appellation "Bob 'Single Wing' Harrill Memorial Highway" provided for in this section is for honorary purposes only and nothing contained herein shall be construed as requiring the alteration of any address, or the governmental system for assigning addresses, in any county, municipality, or other governmental entity affected by this section.

On motion, Amendment No. 2 was adopted.

Rep. McDaniel moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. McDaniel moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. McDaniel moved that **Senate Bill No. 673**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2847** -- Child Custody and Support - As introduced, creates a rebuttable presumption that awarding sole custody, joint legal or joint physical custody or unsupervised visitation to the perpetrator of child abuse or child sexual abuse is not in the best interest of the child. - Amends TCA Title 36; Title 37; Title 39, Chapter 13; Title 39, Chapter 15 and Title 39, Chapter 17. by *Sargent. (SB2741 by *Johnson)

Rep. Sargent moved that House Bill No. 2847 be passed on third and final consideration.

Rep. H. Brooks moved adoption of Children and Family Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2847 by deleting all language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 36-1-113(b), is amended by adding the following new language after the first sentence:

The child's parent, pursuant to subdivision (g)(11), shall also have standing to file a petition pursuant to this part or title 37 to terminate parental or guardianship rights of a person alleged to be a parent or guardian of the child.

SECTION 2. Tennessee Code Annotated, Section 36-1-113, is further amended by adding the following new subdivision to subsection (g):

(11)

(A) The parent has been found to have committed severe child sexual abuse under any prior order of a criminal court. For the purposes of this section, severe child sexual abuse means the commission of any of the following acts towards a child:

- (i) Aggravated rape, pursuant to § 39-13-502;
- (ii) Aggravated sexual battery, pursuant to § 39-13-504;
- (iii) Aggravated sexual exploitation of a minor, pursuant to § 39-17-1004;
- (iv) Especially aggravated sexual exploitation of a minor, pursuant to § 39-17-1005;
- (v) Incest, pursuant to § 39-15-302;
- (vi) Rape, pursuant to § 39-13-503; or
- (vii) Rape of a child, pursuant to § 39-13-522.

(B) When one (1) of the child's parents has been found to have committed an act specified in subdivision (g)(11)(A), the child's other parent shall have standing to file a petition to terminate the parental rights of the abusive parent. Nothing in this section shall give a parent standing to file a petition to terminate parental rights based on grounds other than those listed in this subdivision (g)(11).

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Children and Family Affairs Committee Amendment No. 1 was adopted.

Rep. Sargent moved that **House Bill No. 2847**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. H. Brooks and Dunn voted "aye" on **House Bill No. 2847**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2237** -- Teachers, Principals and School Personnel - As introduced, revises certain provisions concerning dismissal or suspension of teachers. - Amends TCA Title 49, Chapter 5, Part 5. by *Sargent, *Casada. (SB2635 by *Johnson)

Rep. Sargent moved that House Bill No. 2237 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2237 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-5-511(a)(2), is amended by deleting the subdivision in its entirety and substituting instead the following:

(2) The causes for which a teacher may be dismissed or suspended are as follows: incompetence, inefficiency, neglect of duty, unprofessional conduct and insubordination, as defined in § 49-5-501.

SECTION 2. Tennessee Code Annotated, Section 49-5-512, is amended by adding the following language as new subsection (d):

(d) Subsections (a), (b) and (c) of this section shall not apply to a disciplinary suspension by the director of schools that is for a period of three (3) days or less and that is not made in anticipation of dismissal. For such suspensions of three (3) days or less, the following shall apply:

(1) The director of schools shall provide written notice of suspension and the reasons for the suspension to the tenured teacher, along with an explanation of the evidence supporting the decision to suspend and copies of any documents relied upon by the director in reaching that decision;

(2) Upon request made in writing within five (5) days from the date of the suspension letter or the date it was received, whichever is later, the director shall provide a conference with the director at which the teacher may offer rebuttal to the charges or any information the teacher wishes the director to consider. Both the LEA and the teacher may be represented by an attorney or other representative;

(3) The meeting shall be recorded by the director of schools, and a copy shall be provided to the teacher upon request;

(4) The director shall issue a written decision within ten (10) days from the date of the conference. The director may not impose any additional punishment beyond that described in the notice of suspension; and

(5) The teacher, if dissatisfied with the decision of the director, may pursue appeal of the director's decision pursuant to § 49-5-513.

SECTION 3. Tennessee Code Annotated, Section 49-5-513(a), is amended by deleting the subsection in its entirety and substituting instead the following:

(a) A tenured teacher who is dismissed by action of the board pursuant to § 49-5-512(c)(3), or suspended by action of the director pursuant to § 49-5-512(d)(4), may petition for a writ of certiorari from the chancery court of the county where the teacher is employed.

SECTION 4. This act shall not operate so as to annul or modify any recognition entered into before the effective date of this act between a board of education and a professional employees' organization until the termination of such agreement. To the extent that this act is in conflict with an agreement entered into before the effective date of this act between a board of education and a professional employees' organization, the agreement shall control suspensions for three (3) days or less of tenured teachers in the LEA. Upon the termination of such existing agreement or if no conflict exists between this act and such existing agreement, this act shall control suspensions for three (3) days or less of tenured teachers in the LEA.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND House Bill No. 2237 By deleting the word "dismissed" in the amendatory language of Section 3 and by substituting instead the words "dismissed or suspended".

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Sargent moved that **House Bill No. 2237**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich,

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Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

***House Bill No. 2903** -- Alcoholic Beverages - As introduced, authorizes Norris Landing Marina in Claiborne County to be issued a license as a premier type tourist resort. - Amends TCA Section 57-4-102 and Section 57-4-102. by *Sargent. (SB3117 by *Yager)

Rep. Sargent moved that House Bill No. 2903 be reset for the Regular Calendar on April 5, 2012, which motion prevailed.

***House Bill No. 2466** -- Arrests - As introduced, requires an officer to arrest drivers involved in accidents resulting in serious bodily injury or death when such drivers lack a valid driver license and evidence of financial responsibility; prohibits the issuance of a citation in lieu of arrest in such circumstances. - Amends TCA Title 39; Title 40; Title 55, Chapter 10; Title 55, Chapter 12; Title 55, Chapter 50 and Title 55, Chapter 8. by *Carr, *McManus, *Bass, *Moore, *Curtiss, *Matheny, *Rich, *Faison, *Hawk, *Johnson P, *Brooks K, *Sargent, *Coley, *Watson, *Turner M, *Fitzhugh, *Towns, *Evans. (SB2350 by *Beavers)

Further consideration of House Bill No. 2466 previously considered on today's Calendar.

Rep. Carr moved that **House Bill No. 2466**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Alexander, Dean -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Bill No. 2466** and have this statement entered in the Journal: Rep(s). Shipley.

REGULAR CALENDAR, CONTINUED

***Senate Joint Resolution No. 572** -- Naming and Designating - "Landscape Architecture Month" in Tennessee, April 2012. by *Norris, *Ford, *Overbey.

Rep. Sargent moved that the House concur in Senate Joint Resolution No. 572.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Joint Resolution No. 572 by deleting the language "gradens and arboreta" in the fourth clause of the preamble and by substituting instead the language "gardens and arboreta".

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Sargent moved that the House concur in **Senate Joint Resolution No. 572**, as amended, which motion prevailed by the following vote:

Ayes	97
Noes.....	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

House Bill No. 2763 -- Sentencing - As introduced, makes elected and appointed public officials ineligible for diversion for criminal offenses committed in their official capacity or that involve the duties of their offices. - Amends TCA Title 39 and Title 40. by *Haynes, *Dunn. (*SB2566 by *Yager, *Barnes, *Massey, *McNally)

On motion, House Bill No. 2763 was made to conform with **Senate Bill No. 2566**; the Senate Bill was substituted for the House Bill.

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Rep. Haynes moved that Senate Bill No. 2566 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Lollar moved the previous question, which motion prevailed.

Rep. Haynes moved that **Senate Bill No. 2566** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Rep. B. Cooper voted “aye” on **Senate Bill No. 2566**.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1447** -- Lottery, Charitable - As introduced, requires annual event tickets to include either the mailing address or telephone number of the 501(c)(3) organization in addition to the name of the 501(c)(3) organization. - Amends TCA Title 3. by *Haynes, *Brooks K. (SB1252 by *Yager)

On motion, House Bill No. 1447 was made to conform with **Senate Bill No. 1252**; the Senate Bill was substituted for the House Bill.

Rep. Haynes moved that Senate Bill No. 1252 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Wirgau moved adoption of Amendment No. 2 as follows:

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Amendment No. 2

AMEND Senate Bill No. 1252 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 3-17-103(a)(1)(A), is further amended by adding the following language as a new subdivision:

(vi) Notwithstanding any provision of this chapter to the contrary, within five (5) calendar days after this act becomes law, for the annual event period beginning July 1, 2012, and ending June 30, 2013.

SECTION _____. Tennessee Code Annotated, Section 3-17-103(b), is further amended by adding the following language as a new subdivision:

(6) In addition to the omnibus lists transferred to the clerk of the senate and the clerk of the house of representatives pursuant to subdivision (1), the secretary shall transfer an additional omnibus list listing any organizations approved pursuant to subdivision (a)(1)(A)(v) and subsection (f) for the annual event period beginning July 1, 2012, and ending June 30, 2013. The list shall be transferred in a manner consistent with subdivision (b)(1) by twelve o'clock (12:00) noon central daylight time (CDT) within ten (10) calendar days after this act becomes law.

SECTION _____. Tennessee Code Annotated, Section 3-17-103(f)(1), is further amended by adding the following language as a new subdivision:

(F) Notwithstanding any provision of this chapter to the contrary, within five (5) calendar days after this act becomes law, for the annual event period beginning July 1, 2012, and ending June 30, 2013.

On motion, Amendment No. 2 was adopted.

Rep. Shaw moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 1252 by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 3-17-103(a)(1)(A), is further amended by adding the following language as a new subdivision:

(vi) Notwithstanding any provision of this chapter to the contrary, within five (5) calendar days after this act becomes law, for the annual event period beginning July 1, 2012, and ending June 30, 2013.

SECTION _____. Tennessee Code Annotated, Section 3-17-103(b), is further amended by adding the following language as a new subdivision:

(6) In addition to the omnibus lists transferred to the clerk of the senate and the clerk of the house of representatives pursuant to subdivision (1), the secretary shall transfer an additional omnibus list listing any organizations approved pursuant to subdivision (a)(1)(A)(v) and subsection (f) for the annual event period beginning July 1, 2012, and ending June 30, 2013. The list shall be transferred in a manner consistent with subdivision (b)(1) by twelve o'clock (12:00) noon central daylight time (CDT) within ten (10) calendar days after this act becomes law.

SECTION ____ Tennessee Code Annotated, Section 3-17-103(f)(1), is further amended by adding the following language as a new subdivision:

(F) Notwithstanding any provision of this chapter to the contrary, within five (5) calendar days after this act becomes law, for the annual event period beginning July 1, 2012, and ending June 30, 2013.

On motion, Amendment No. 3 was adopted.

Rep. Haynes moved that **Senate Bill No. 1252**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes.....	0
Present and not voting.....	2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry L, Dennis, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: DeBerry J, Dunn -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 1252** and have this statement entered in the Journal: Rep(s). Kernell.

REGULAR CALENDAR, CONTINUED

House Bill No. 3024 -- Taxes, Gasoline, Petroleum Products - As introduced, creates a natural gas dealer's permit for persons or entities that dispense compressed natural gas to customers' vehicles through qualified natural gas dispensers; requires the permittee to remit the compressed natural gas tax imposed on the metered gas. - Amends TCA Title 67, Chapter 3, Part 11. by *Johnson P. (*SB2718 by *Ketron)

On motion, House Bill No. 3024 was made to conform with **Senate Bill No. 2718**; the Senate Bill was substituted for the House Bill.

Rep. P. Johnson moved that Senate Bill No. 2718 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Harrison moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, as follows:

Amendment No. 2

AMEND Senate Bill No. 2718 By deleting from Section 4(a) the language "defined in § 67-3-1119" and by substituting instead the language "defined in § 67-3-1101".

On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. P. Johnson moved that **Senate Bill No. 2718**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 1

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 96

Representatives voting no were: Windle -- 1

A motion to reconsider was tabled.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

House Bill No. 2518 -- Sunset Laws - As introduced, extends the air pollution control board, June 30, 2012. - Amends TCA Title 4, Chapter 29 and Title 68, Chapter 201, Part 1. by *Cobb, *Shipley, *Rich. (*SB2341 by *Bell)

On motion, House Bill No. 2518 was made to conform with **Senate Bill No. 2341**; the Senate Bill was substituted for the House Bill.

Rep. Cobb moved that Senate Bill No. 2341 be passed on third and final consideration.

Rep. Rich moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Rich moved that Government Operations Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Cobb moved that **Senate Bill No. 2341** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes.....	7
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 87

Representatives voting no were: Armstrong, Hardaway, Harmon, Hill, Richardson, Towns, Windle -- 7

Representatives present and not voting were: Camper -- 1

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 2341** and have this statement entered in the Journal: Rep(s). Hawk.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2998** -- Traffic Safety - As introduced, prohibits animals in a driver's lap or between the driver and the driver's door while the motor vehicle is in motion. - Amends TCA Title 55, Chapter 8, Part 2. by *Cobb. (SB3110 by *Yager)

Rep. Cobb moved that **House Bill No. 2998** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	58
Noes.....	30
Present and not voting.....	5

Representatives voting aye were: Bass, Brooks H, Brooks K, Brown, Campbell, Camper, Cobb, Coley, Cooper, Curtiss, DeBerry J, Dennis, Dunn, Elam, Favors, Fitzhugh, Floyd, Ford, Forgety, Halford, Harrison, Hawk, Hensley, Hurley, Johnson C, Johnson P, Jones, Keisling, Maggart, Matlock, McDaniel, McManus, Miller D, Miller L, Moore, Naifeh, Niceley, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Todd, Towns, Weaver, Wirgau, Madam Speaker Harwell -- 58

Representatives voting no were: Alexander, Butt, DeBerry L, Eldridge, Evans, Faison, Gotto, Hall, Hardaway, Harmon, Haynes, Holt, Lollar, Lundberg, Marsh, Matheny, Montgomery, Parkinson, Pody, Sexton, Sontany, Tidwell, Turner J, Turner M, Watson, White, Williams K, Williams R, Windle, Womick -- 30

Representatives present and not voting were: Armstrong, Carr, Gilmore, McDonald, Tindell -- 5

A motion to reconsider was tabled.

***Senate Bill No. 2313** -- Sunset Laws - As introduced, extends board of nursing, 2014; revises membership of board. - Amends TCA Title 4, Chapter 29 and Title 63, Chapter 7. by *Bell. (HB2516 by *Cobb, *Shipley, *Rich)

Further consideration of Senate Bill No. 2313 previously considered on March 8, 2012, at which time the House withdrew Amendment(s) No(s). 1 and 2, adopted Amendment(s) No(s). 3 and it was reset for today's Calendar

Rep. Shipley moved that Senate Bill No. 2313 be passed on third and final consideration.

Rep. Cobb moved adoption of Government Operations Committee Amendment No. 2, as House Amendment No. 5, as follows:

Amendment No. 5

AMEND Senate Bill No. 2313 By deleting all of the language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-232(a), is amended by deleting subdivision (63) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-235(a), is amended by adding a new subdivision thereto, as follows:

() Board of nursing, created by § 63-7-201;

SECTION 3. Tennessee Code Annotated, Section 63-7-202, is amended by deleting the section in its entirety and by substituting instead the following:

(a) The governor shall appoint eleven (11) members to the board, as follows:

(1) Nine (9) members, one (1) from each congressional district, who are either an advanced practice nurse or a registered nurse at the time of their appointment. At least two (2) members shall be registered nurses. At least three (3) members shall be advanced practice nurses. For the purposes of this section, an advanced practice nurse shall not include registered nurses;

(2) One (1) member who is a licensed practical nurse at the time of such nurse's appointment; and

(3) One (1) consumer member.

(b) In making appointments to the board, the governor shall consider appointing members who work in variety of health care positions, including the following practice settings:

(1) A Level I trauma center licensed pursuant to title 68, chapter 11, part 2;

(2) An acute care hospital;

(3) A critical access hospital or a rural hospital;

(4) A mental health facility licensed under title 33; and

(5) A long-term care facility.

(c) No more than three (3) members shall be engaged in an academic position at the time of their appointment to the board.

(d) In making appointments to the board, the governor should consider the importance of geographical diversity to this board.

(e)

(1) Members of the board may be appointed by the governor from lists of qualified persons submitted by interested nursing groups including, but not limited to, their respective organizations. Each list may contain a minimum of three (3) times as many names as the number of

appointments to be made. Lists of persons shall be submitted at least forty-five (45) days prior to the expiration of the term of office of any members of the board. The appointment provisions of this subdivision (1) shall not apply to the public member serving on the board.

(2) In making appointments to the board in accordance with subdivision (1), the governor shall consult with interested nursing groups including, but not limited to, their respective organizations to determine qualified persons to fill the positions.

(f) Each licensee member appointed to serve on the board shall:

(1) Be a resident of this state for at least one (1) year immediately preceding appointment;

(2) Be currently licensed and in good standing with an unencumbered license;

(3) Be currently engaged in the practice of nursing; and

(4) Have no less than five (5) years of experience as an advanced practice nurse, registered nurse, or licensed practical nurse.

(g) The consumer member appointed to the board shall:

(1) Be a resident of this state for at least one (1) year immediately preceding their appointment;

(2) Not have a direct or indirect financial interest in health care services;

(3) Not have been a health care provider or be enrolled in any health-related educational program; and

(4) Not be a member or employee of any board of control of any public or private health care organization.

(h) A vacancy on the board shall be filled for the unexpired term by appointment by the governor in such a manner to ensure the requirements of this section are met.

(i) In making appointments to the board, the governor shall strive to ensure that at least one (1) person serving on the board is sixty (60) years of age or older and that at least one (1) person serving on the board is a member of a racial minority.

(j) Except as provided in subsection (k), members currently holding appointments on the board shall serve their full terms. As vacancies occur, new appointments shall be filled by the governor in accordance with this section.

(k) No member shall serve more than eight (8) continuous years on the board. A member shall be eligible to be reappointed after not serving on the board for four (4) years. The term of any member of the board with eight (8) or more years of service on the board upon the effective date of this act shall terminate January 1, 2013.

SECTION 4. Tennessee Code Annotated, Section 63-7-203, is amended by deleting the language “three (3) consecutive terms.”, and by substituting instead the language “two (2) consecutive terms. At least four (4) years shall lapse before a member may be reappointed to the board or may serve in any capacity associated with the board.”

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Government Operations Committee Amendment No. 2, as House Amendment No. 5, was adopted.

Rep. Shipley moved that **Senate Bill No. 2313**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	74
Noes.....	18

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McManus, Miller D, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Swann, Tindell, Todd, Watson, Weaver, White, Williams K, Williams R, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Armstrong, Brown, Camper, Cooper, DeBerry L, Fitzhugh, Harmon, Jones, McDonald, Moore, Shaw, Shepard, Sontany, Stewart, Towns, Turner J, Turner M, Windle -- 18

A motion to reconsider was tabled.

JOURNAL CORRECTION

Without objection, the Speaker requested that the Journal reflect that Reps. Hardaway and Parkinson voted “aye” on **Senate Bill No. 2313**.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2313** and have this statement entered in the Journal: Rep(s). Lollar.

REGULAR CALENDAR, CONTINUED

***House Bill No. 2373** -- Controlled Substances - As introduced, rewrites certain provisions regarding the sale and purchase of an immediate methamphetamine precursor. - Amends TCA Section 39-17-431. by *McCormick, *Hawk. (SB2235 by *Norris, *McNally, *Crowe, *Beavers, *Herron, *Yager)

On motion, House Bill No. 2373 was made to conform with **Senate Bill No. 2235**; the Senate Bill was substituted for the House Bill.

Rep. Hawk moved that **Senate Bill No. 2235** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 95
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Rich

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 2998** and have this statement entered in the Journal: Rep(s). Sparks.

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “no” on **Senate Bill No. 2313** and have this statement entered in the Journal: Rep(s). Favors.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1105** -- Education - As introduced, requires an LEA revising its policy prohibiting harassment, intimidation, or bullying, which was filed with the commissioner of education, to transmit the revised policy to the commissioner. - Amends TCA Title 49. by *Montgomery. (SB1923 by *Gresham)

Rep. Montgomery moved that House Bill No. 1105 be passed on third and final consideration.

Rep. Hensley moved adoption of Education Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1105 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-203 (a), is amended by adding the following language as a new, appropriately designated subdivision:

() Develop and implement an evaluation plan to be used annually for the director of schools. The plan shall include, but, shall not be limited to, sections regarding job performance, student achievement, relationships with staff and personnel, relationships with board members, and relationships with the community.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Montgomery moved that **House Bill No. 1105**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 90
Noes..... 4

Representatives voting aye were: Alexander, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Armstrong, Cooper, Moore, Pody -- 4

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **Senate Bill No. 2313** and have this statement entered in the Journal: Rep(s). Richardson.

REGULAR CALENDAR, CONTINUED

House Bill No. 3770 -- Local Education Agencies - As introduced, allows county boards of education in counties that have adopted the County Financial Management System of 1981 to remove the LEA from such system and manage the board's financial affairs under general state law. - Amends TCA Title 5, Chapter 21. by *Ramsey. (*SB3283 by *Tracy)

On motion, House Bill No. 3770 was made to conform with **Senate Bill No. 3283**; the Senate Bill was substituted for the House Bill.

Rep. Ramsey moved that Senate Bill No. 3283 be passed on third and final consideration.

Rep. Montgomery moved that Education Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Ramsey moved that **Senate Bill No. 3283** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes..... 0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

***House Bill No. 2924** -- Labor - As introduced, establishes certain public policies for employees under right to work law; provides for employers to post certain notices; provides for certain enforcement responsibilities by the department of labor and workforce development. - Amends TCA Title 50, Chapter 1, Part 2. by *Sparks. (SB2821 by *Kelsey)

Rep. Sparks moved that House Bill No. 2924 be passed on third and final consideration.

Rep. Eldridge moved adoption of Consumer and Employee Affairs Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2924 by deleting subsections (b), (c), (d), and (e) in SECTION 1 of the bill in their entirety and substituting instead the following language, and redesignating the remaining subsection (f) accordingly:

(b) Private employers may physically post notice of the rights described in this section, at locations where notices are normally posted, informing employees about their rights under this section, or may physically disseminate such notice to employees if no such normal location for posting exists.

(c) To assist private employers in informing workers of their rights as described in this section, the commissioner of labor and workforce development shall create model notice language reiterating the public policies of this state espoused in this part, which may be used by private employers accordingly.

On motion, Consumer and Employee Affairs Committee Amendment No. 1 was adopted.

Rep. Sparks moved that House Bill No. 2924 be reset for the Regular Calendar on April 5, 2012, which motion prevailed.

House Bill No. 3679 -- Students - As introduced, requires LEAs to include in student discipline codes a prohibition on students wearing on school grounds during the school day clothing that exposes underwear or body parts in an indecent manner that disrupts the learning environment. - Amends TCA Title 49. by *Towns. (*SB3558 by *Ford)

On motion, House Bill No. 3679 was made to conform with **Senate Bill No. 3558**; the Senate Bill was substituted for the House Bill.

Rep. Towns moved that **Senate Bill No. 3558** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes.....	9
Present and not voting.....	3

Representatives voting aye were: Armstrong, Bass, Brooks H, Brooks K, Brown, Camper, Carr, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Jones,

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

MONDAY, APRIL 2, 2012 – SIXTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION

Keisling, Kernell, Lollar, Lundberg, Maggart, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 81

Representatives voting no were: Alexander, Butt, Campbell, Holt, Matheny, Pody, Richardson, Sexton, Weaver -- 9

Representatives present and not voting were: Dennis, Gilmore, Marsh -- 3

A motion to reconsider was tabled.

House Joint Resolution No. 823 -- Memorials, Recognition - Bobbie Patray. by *Shipley, *Gotto, *Butt, *Matheny, *Holt, *Dunn, *Brooks H, *Brooks K, *Weaver, *Hill, *Lundberg, *Halford, *Evans, *Hensley, *Elam, *Niceley, *Johnson C, *Faison, *Ragan, *Swann, *Haynes, *Hall, *Williams K, *Hurley, *Miller D.

Further consideration of House Joint Resolution No. 823 previously considered on March 28, 2012, at which time it was objected to on the Consent Calendar and reset for today's Regular Calendar.

Rep. Shipley moved adoption of House Joint Resolution No. 823.

Rep. M. Turner moved the previous question, which motion prevailed.

Rep. Shipley moved adoption of **House Joint Resolution No. 823**, which motion prevailed by the following vote:

Ayes 86

Noes..... 2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Parkinson, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 86

Representatives voting no were: Favors, Shaw -- 2

A motion to reconsider was tabled.

House Bill No. 2639 -- Codes - As introduced, prohibits sprinkler requirements in local building codes in one-family and two-family dwellings. - Amends TCA Section 68-120-101. by *Watson, *Gotto. (*SB2492 by *Tracy, *Ketron)

Further consideration of House Bill No. 2639 previously considered on March 28, 2012, at which time it was reset for today's Regular Calendar.

Rep. Watson moved that House Bill No. 2639 be reset for the Regular Calendar on April 5, 2012 which motion prevailed.

***House Bill No. 3581** -- Professions and Occupations - As introduced, requires the commissioner of commerce and insurance to maintain a registry of current locksmiths and any disciplinary actions against them on the department's web site. - Amends TCA Title 62, Chapter 11. by *Carr. (SB3502 by *Tate)

Rep. Carr moved that House Bill No. 3581 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3581 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-11-104(a), is amended by designating the existing language as subdivision (1) and by adding the following language as a new subdivision (2):

(2) When a person, partnership, association, corporation or local or state governmental employee files an application for licensure or for renewal, such person or entity shall provide a permanent fixed business location in Tennessee for such license.

SECTION 2. Tennessee Code Annotated, Section 62-11-106, is amended by designating the existing language as subsection (a) and by adding the following language to be designated as subsection (b):

(b) If pursuant to subdivision (a)(10) the commissioner investigates a complaint, the commissioner shall, within ninety (90) days of the date the complaint is filed, report to the person or persons filing the complaint the status of the investigation. In addition, if at such point the investigation has not been completed, the commissioner shall, every thirty (30) days thereafter, file a revised status report with such person or persons until the investigation is completed.

SECTION 3. Tennessee Code Annotated, Title 62, Chapter 11, Part 1, is amended by adding the following language as a new, appropriately designated section:

62-11-118.

(a) Except as provided in subsection (b), a locksmith, licensed in another state or territory, who relocates to this state shall apply for licensure pursuant to this chapter and meet all requirements set forth in this chapter, and all rules promulgated thereto, prior to providing locksmithing services in this state.

(b) Notwithstanding subsection (a), no locksmith, licensed in another state or territory, shall have to meet the initial qualification education requirements for licensure in this state or be required to pass the administrated locksmith exam if such locksmith has any one (1) of the following American Locksmith of America (ALOA) certified designations:

- (1) Certified registered locksmith (CRL);
- (2) Certified professional locksmith (CPL); or
- (3) Certified master locksmith (CML).

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Carr moved that **House Bill No. 3581**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes.....	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Brooks H, Brooks K, Brown, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives present and not voting were: Bass -- 1

A motion to reconsider was tabled.

PRESENT IN CHAMBER

Rep(s). McCormick was/were recorded as being present in the Chamber.

REGULAR CALENDAR, CONTINUED

House Bill No. 3792 -- Funeral Directors and Embalmers - As introduced, clarifies that every person desiring to engage in the practice or business of embalming, not previously licensed in this state, must make application to the board of funeral directors and embalmers along with a nonrefundable fee; clarifies that the operator of a crematory facility must obtain a permit for cremation of human remains prior to performing a cremation. - Amends TCA Title 62, Chapter 5. by *Carr. (*SB3452 by *Southerland)

Rep. Carr moved that House Bill No. 3792 be passed on third and final consideration.

Rep. McManus moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3792 by deleting SECTION 1 of the bill in its entirety and substituting instead the following:

SECTION 1 Tennessee Code Annotated, Section 62-5-316(b), is amended by deleting the subsection in its entirety and by substituting instead the following:

(b) When any license issued by the board becomes invalid because of nonrenewal, the executive director shall send a written notice to the license holder at the license holder's last known address, informing the license holder that the license holder cannot practice that profession or operate that establishment until the invalid license is renewed or reinstated or a new license is issued. The notice shall also state that the license may be renewed or reinstated at any time within sixty (60) days of the license expiration date by payment of the renewal fee and of a penalty fee in an amount to be established by the board. Any license not renewed or reinstated within sixty (60) days of the license expiration date shall not be subject to renewal or reinstatement and the license holder shall reapply as for an initial license; provided, that any examination shall be limited to the provisions of this chapter and any rules promulgated pursuant to this chapter, and that the education requirements in § 62-5-305(b)(6) and § 62-5-307(b)(6) are not applicable.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Carr moved that **House Bill No. 3792**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh,

4661

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Matheny, Matlock, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

A motion to reconsider was tabled.

***House Bill No. 2550** -- Sheriffs - As introduced, decreases the amount of time that a sheriff must wait before disposing of certain unclaimed property in the sheriff's custody from six months to two months from the date of acquisition. - Amends TCA Title 8, Chapter 8. by *Carr. (SB2551 by *Ketron)

Further consideration of House Bill No. 2550 previously considered on March 29, 2012, at which time it was reset for today's Calendar.

On motion, House Bill No. 2550 was made to conform with **Senate Bill No. 2551**; the Senate Bill was substituted for the House Bill.

Rep. Carr moved that Senate Bill No. 2551 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2551 By deleting the language "two (2) months" in the amendatory language of Section 1 and by substituting instead the language "ninety (90) days".

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. Carr moved that **Senate Bill No. 2551**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes..... 2

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Hardaway, Turner J -- 2

A motion to reconsider was tabled.

***House Bill No. 3633** -- Beer - As introduced, authorizes the beer boards in the four major counties to suspend or revoke the beer permit if the alcoholic beverage commission suspends or revokes the alcohol license of the establishment; requires the commission to notify the beer board of such action taken by the commission. - Amends TCA Title 57, Chapter 4, Part 2 and Title 57, Chapter 5, Part 1. by *Floyd, *Hardaway, *Dean, *McCormick, *Haynes, *White. (SB3581 by *Watson)

Further consideration of House Bill No. 3633 previously considered on March 29, 2012, at which time the House adopted Amendment(s) No(s). 1 and 2 and it was reset for today's Calendar

Rep. Floyd moved that House Bill No. 3633 be passed on third and final consideration.

Rep. Faison moved consideration of Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 3633 By deleting the language "(432,300)" in subdivision (n)(1)(A) of Section 1 and substituting instead the language "(432,300) or in any county having a population of not less than thirty-five thousand six hundred (35,600) nor more than thirty-five thousand seven hundred (35,700)," and by deleting the language "(432,300)," in subdivision (o)(1) of Section 1 and substituting instead the language "(432,300) or in any county having a population of not less than thirty-five thousand six hundred (35,600) nor more than thirty-five thousand seven hundred (35,700),".

AND FURTHER AMEND by deleting the language "(432,300)," in subdivisions (b)(1) and (c)(1)(A) of Section 2 and substituting instead the language "(432,300) or in any county having a population of not less than thirty-five thousand six hundred (35,600) nor more than thirty-five thousand seven hundred (35,700),".

The motion for consideration of Amendment No. 3 failed by the following vote:

Ayes	49
Noes.....	35
Present and not voting.....	6

Representatives voting aye were: Alexander, Bass, Brooks K, Campbell, Carr, Casada, Coley, Dean, DeBerry L, Dennis, Elam, Eldridge, Evans, Faison, Forgety, Gotto, Halford, Hardaway, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Kernell, Maggart, Marsh, Matheny, Matlock, Miller D, Miller L, Niceley, Pody, Powers, Ramsey, Roach, Sanderson, Sargent, Sexton, Shipley, Sparks, Tidwell, Watson, Weaver, White, Williams R, Windle, Wirgau, Madam Speaker Harwell -- 49

Representatives voting no were: Brooks H, Cobb, Cooper, Curtiss, Dunn, Floyd, Hall, Harmon, Harrison, Haynes, Johnson P, Jones, Keisling, Lollar, Lundberg, McCormick, 4663

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McDaniel, McDonald, McManus, Moore, Parkinson, Pitts, Pruitt, Richardson, Shaw, Shepard, Sontany, Stewart, Tindell, Todd, Towns, Turner J, Turner M, Williams K, Womick -- 35

Representatives present and not voting were: Brown, Butt, Montgomery, Naifeh, Ragan, Swann -- 6

In accordance with **Rule No. 60(b)**, having failed to reach the necessary 2/3 vote, the motion to consider Amendment No. 3 to House Bill No. 3633 failed.

Rep. Floyd moved that **House Bill No. 3633**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes.....	0
Present and not voting.....	5

Representatives voting aye were: Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives present and not voting were: Butt, Campbell, Cooper, Pody, Powers -- 5

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. McDaniel moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 848 out of order, which motion prevailed.

House Joint Resolution No. 848 -- Memorials, Retirement - Woody Harrell. by *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. McDaniel, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **Senate Joint Resolution No. 78** to be heard in the Health and Human Resources Committee this week.

Without objection, it was so ordered.

BILL RE-REFERRED

Rep. K. Brooks moved that House Bill No. 3703 be re-referred to the Transportation Committee and that the same be heard this week, which motion prevailed.

RULES SUSPENDED

Rep. K. Brooks moved that the rules be suspended in order to allow **House Bill No. 2454** to be heard in the Commerce Committee this week.

Without objection, it was so ordered.

ANNOUNCEMENTS

BILL REFERRED

Rep. K. Brooks moved that House Resolution No. 233 be referred to the Transportation Committee, which motion prevailed.

REPORT FILED

The Clerk announced that the Tennessee Supreme Court filed a motion concerning the Amendments to the Tennessee Rules of Civil Procedure with the Clerk's Office and that the same is available for review.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1054 Rep(s). McDaniel as first prime sponsor(s).

House Bill No. 1455 Rep(s). Hawk as prime sponsor(s).

House Bill No. 2639 Rep(s). Todd as prime sponsor(s).

House Bill No. 2799 Rep(s). Pody as prime sponsor(s).

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House Bill No. 2889 Rep(s). Forgety, Dean, Cobb, Floyd, Matlock and K. Brooks as prime sponsor(s).

House Bill No. 2903 Rep(s). Tidwell as prime sponsor(s).

House Bill No. 3175 Rep(s). Gotto as prime sponsor(s).

House Bill No. 3292 Rep(s). Hawk and Eldridge as prime sponsor(s).

**SIGNED
April 2, 2012**

The Speaker announced that she had signed the following: House Bill(s) No(s). 2236, 2292, 2475, 2644, 2669, 2682, 2793, 2878, 3026, 3481, 3518, 3833, 3840, 3842, 3847, 3852, 3853 and 3856.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 2, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2237 and 2466.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS
April 2, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 848;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
April 2, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2281; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE
April 2, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 811, 813, 814, 815, 819, 820, 821, 822, 825, 826, 827, 845 and 848; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE

April 2, 2012

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2196, 2226, 2407, 2466, 2467, 2468, 2656, 2765, 2853, 2933, 3023, 3094, 3550 and 3781; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

ENGROSSED BILLS

April 2, 2012

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 1105, 2847, 2998, 3373, 3581, 3633, 3792, 3841, 3846, 3857, 3863, 3866; also House Joint Resolution(s) No(s). 623, 695, 712, 713, 724, 742, 743, 744, 823, 842 and 846.

BETTY KAY FRANCIS, Chief Engrossing Clerk

ENROLLED BILLS

April 2, 2012

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 208, 230 and 231; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

SIGNED

April 2, 2012

The Speaker announced that she had signed the following: House Resolution(s) No(s). 208, 230 and 231.

BETTY KAY FRANCIS, Chief Engrossing Clerk

RESOLUTIONS REFERRED

April 2, 2012

Pursuant to **Rule No. 44**, the following resolution(s) was/were referred to the following Committee(s):

***House Resolution No. 233** -- Highway Signs - Designates "Bill Harmon Esplanade" in Nashville. by *Johnson P.

House Transportation Committee

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Armstrong, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

RECESS MOTION

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Wednesday, April 4, 2012.